

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Power Optech, LLC,

Plaintiff,

v.

Andron Construction Corporation,

Defendant.

CIVIL ACTION NO.:
1:07-cv-8117-HB (KNF)

NOTICE TO PRODUCE

SIRS:

PLEASE TAKE NOTICE, that pursuant to FRCP Rule 34, demand is hereby made that you produce for inspection and copying the following within your possession, custody or control at the offices of the undersigned, on the 18th day of February, 2008 at 12:00 noon.

1. Employee time sheets or similar documents for all Plaintiff projects in progress from July 25, 2005 through September 2, 2005;
2. Job cost reports or similar documents for all Plaintiff projects in progress during that same time period;
3. Transaction detail or similar documents from job cost reports for all Plaintiff's projects in progress during that same time period;
4. Payroll records or similar documents for all Plaintiff projects in progress during that same time period;
5. Union remittance reports or similar documents for all Plaintiff projects in progress during that same time period;
6. Union shop steward reports or similar documents for all Plaintiff projects in progress during that same time period;


(As used herein, the term "documents" means all writings, drawings, graphs, charts, photographs, phonorecords, and other data compilations from which information can be obtained, translated, if necessary, by respondent, through detection devices into reasonably usable form including electronic or computerized data compilations, files or emails. A draft or non-identical copy is a separate document within the meaning of this term.)

Pursuant to FRCP Rule 34(b)(1)(C), electronically stored information shall be produced in the following forms: (a) in printed form; (b) in a form or forms in which it is ordinarily maintained (so long as, in such form, it can be printed or otherwise readily accessed without proprietary software), or (c) in other reasonably usable form or forms.

Dated: February 4, 2008

Goldens Bridge, New York

Yours etc.,



HAROLD J. GABRIEL (HG3082)

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